

**Minutes for Waterboro Board of Selectmen Meeting  
October 5, 2021 at Waterboro Town Hall  
6:00 p.m. Regular Meeting**

**1. PLEDGE OF ALLEGIANCE**

Chairman Abbott started the meeting with the Pledge of Allegiance at 6:00 p.m.

Attendance: Dennis Abbott, David Chauvette, Dana Brown, Michael Provencher, Matt Bors, Peter Smith, Julie Giles, David Lowe, Clyde L. Smith, Hillel Weisel, Faye Whitten, Stacie Walker, Mary Parker, David Alves, Stephen Everett, Michael Rogers, Steve Blais, Everett Parker, Vicky Edgerly, and Laura Lowe. Selectman Dwayne Woodsome was absent.

**2. PUBLIC HEARINGS**

- a. Public Hearing is to receive questions or comments regarding a Zoning Text Amendment for Bulk Storage of Propane in the A/R Zone

**Chairman Abbott opened the public hearing at 6:02 p.m.**

**Background: The request for the Zoning Text Amendment for Bulk Storage of Propane in the A/R Zone originated from a request from Fabian Oil. The Selectmen passed on this request to the Planning Board at their August 3, 2021 meeting to see if the Planning Board would consider adding Bulk Propane Storage as an additional use to the conditional use of Zoning. The Planning Board held a public hearing regarding this issue on September 15, 2021. During their Regular Meeting, the Planning Board voted 5 – 0 to pass on a favorable recommendation to the Select Board in order to make the text amendment changes to the Zoning Ordinance. A letter was sent from the Town Planner to the Board of Selectmen September 16, 2021 stating such.**

**The public hearing was closed at 6:05 p.m. There was no comment from the public or from the Board regarding this matter.**

- b. Public Hearing is to receive questions or comments regarding a Contract Zone Request for Map 005-049-001, 005-50 & 005 -51

**Chairman Abbott opened the public hearing at 6:06 p.m.**

**Background: The Contract Zone Request from David Alves for a 36 unit residential complex was sent to the Planning Board by the Selectmen at their August 3, 2021 meeting for a concept review. The planning Board held a public hearing regarding this issue on September 16, 2021. The Planning Board voted 4 – 1 in for passing on a favorable recommendation to the Select Board for the Contract Zone request. A letter regarding this was sent from the Town Planner to the Board of Selectmen September 16, 2021.**

**There was much discussion on this. Five residents from the Town of Waterboro spoke against the Contract Zone request. All of these residents live near the proposed contract zone property and some are land abutters. Resident Stacie Walker asked that if additional information is learned that has not been disclosed at this meeting regarding this contract zone request, does the public have a chance to come back and make comment on this. Chairman Abbott stated that once the public hearing is over then that ends the public discussion of the matter. However, if the Board decides to change the language in the contract zone agreement, then a second public hearing will have to be done. Resident Vicky Edgerly stated that the Contract Zoning Agreement that the Planning Board posted for their public hearing is different than the one posted for this Selectmen’s public hearing. It was determined that the Planning Board made changes to the second paragraph adding in language for commercial units on the ground floor of the residential complex . The Select Board decided another public hearing would be scheduled once they have the updated document. The Selectmen also decided they wanted to eliminate Item #1 d from the Agreement regarding an easement to**

access the “Old Railroad Bed” through the Property. Chairman Abbott closed the public hearing at 6:56 p.m.

### 3. ANNOUNCEMENTS

David Chauvette made an announcement that the Community Garden Beds are available to rent for the 2022 season which runs from October 16, 2021 to October 15, 2022. The rental fee per plot is \$35.00 for first time gardeners and \$25.00 for continuing gardeners. If anyone is interested you can contact the Garden Committee at [garden@waterboro-me.gov](mailto:garden@waterboro-me.gov).

### 4. ADDITIONS OR DELETIONS TO AGENDA – none.

### 5. APPOINTMENT – none.

### 6. PUBLIC COMMENTS:

- a. Stacie Walker – resident - passed in her letter to the Board that she read during the public hearing. The letter is included in these minutes added at the end of the document.

### 7. CORRESPONDENCE

- a. Treasurer’s reports
- b. Senator David Woodsome’s Communication
- c. Congresswoman Chellie Pingree’s Communication

### 8. REPORTS & STAFF INITIATIVES

- a. **Selectmen’s reports** – None.

#### **Interim Town Administrator Matt Bors report:**

##### **General:**

Foreclosure process update – Treasurer Julie Giles passed out information to the Select Board on the Municipal Officer’s Role in Disposition of Tax-Acquired Property.

Matt sent the York County Sheriff’s Office Monthly Report via email yesterday to the Selectmen.

Matt Reminded the Selectmen that he will be out of the office next week for a scheduled vacation

##### **Town Hall:**

Matt has Received one current Planner application. He is waiting on comments from the review committee

Matt held a meeting yesterday (as requested by the Selectmen from their last meeting) with Ron Smith, TRIO and other staff to discuss our current Year End Closing issues. An email was sent to all Selectmen with the summary of this meeting.

##### **Public Works:**

Matt is Hopeful to have the lease/purchase paperwork completed shortly for the loader/backhoe.

### **Backup Generator :**

We have ordered the generator for Massabesic Middle School and are planning to have the site work completed by year end. The generator will not arrive until the first of 2022 if all goes as planned.

### **Code Office Update - This update was passed out to the Selectmen but not read at the meeting:**

Failing septic system – The design fee has been paid to Frick Associates and Big Rock excavation has been awarded the bid. They will begin construction by Thursday the 7<sup>th</sup> of October and the estimated completion date is October 13th.

October 14th the Code Office will be hosting a Shoreland Certification Training. There are roughly twenty registered participants. The Instructor will be John Mclean from the Maine DEP. Due to the amount of interest for this class, the Code Office has been forced to move the class to the Fire Department meeting room. Mr. McLean has also asked that CEO Mike Gilpatrick prepare a presentation on Shoreland Zoning Regulation. Mike will be going over Non-Conforming Structures/Set-backs and the 30% Expansion Rule.

## **9. NEW BUSINESS**

- a. Discuss/vote to accept the Zoning Text Amendment for Bulk Storage Propane in the A/R Zone

**Michael Provencher made a motion to accept the recommendation by the Planning Board to accept the Zoning Text Amendment for Bulk Storage Propane in the A/R Zone. Dana Brown seconded the motion. The motion passed 4 – 0.**

- b. Discuss/vote to accept the Contract Zone Request for Map 005-049-001, 005-50 & 005 -51

**The Board decided to move this to the next meeting with another Public Hearing due to changes needed in the Contract.**

- c. Discuss/vote to go into contract with CMP to upgrade our street lights to LED

**Dave Chauvette made a motion to sign the contract with CMP to upgrade the Town's street lights to LED. Dana Brown seconded the motion. The motion passed 4 – 0.**

- d. Discuss/vote to accept the resignation of Carol Fletcher from three committees (EDC,TS,SRTV)

**Dave Chauvette made a motion to accept the resignation of Carol Fletcher from the three committees she was a member of. Dana Brown seconded the motion. The motion passed 4 – 0.**

- e. Discuss/vote on Quitclaim deed Map 007 Lot 038

**Dana Brown made a motion to sign the Quitclaim deed for Map 007 Lot 038. Dave Chauvette seconded the motion. The motion passed 4 – 0.**

- f. Discuss/vote to approve renewal of a Junkyard Permit for Richard & Robin Lavigne, 1190 Main Street

**Dana Brown made a motion to approve the renewal Junkyard Permit for Richard & Robin Lavigne located at 1190 Main Street. Dave Chauvette seconded the motion. The motion passed 4 – 0.**

- g. Discuss/vote to approve renewal of a Junkyard Permit for Danny Laskey, 1533 Goodwin Mills Road

**Dave Chauvette made a motion to approve the renewal Junkyard Permit for Danny Laskey at 1533 Goodwin Mills Road. Dana Brown seconded the motion. The motion passed 4 – 0.**

## **10. OLD BUSINESS**

- a. Discuss/vote on moving forward with the request to do away with the exemption of 40 acre lots from the Subdivision Ordinance

**Dana Brown made a motion to accept the Planning Board recommendation that 40 acre lots or larger should not be exempt from subdivision requirements. Dave Chauvette seconded the motion. The motion passed 3-0-1 – Michael Provencher.**

- b. Discuss/vote to enter into the Solar Collaboration

**Michael Provencher made a motion to not enter into the Solar Collaboration. Dana Brown seconded the motion. The motion passed 4 – 0.**

- c. Discuss/vote to hire a part-time person to assist the Deputy Treasurer in lieu of our accounting firm

**There was some discussion on this but a vote was not made. The Select Board decided to have an Executive Session or a Workshop on this to bring everyone together to discuss. They decided that this meeting would follow the Regular Meeting on October 19, 2021.**

## **11. OTHER**

- a. Discuss/vote to approve the minutes of the September 21, 2021 meeting.

**Michael Provencher made a motion to accept the minutes of the September 21, 2021 meeting. Dana Brown seconded the motion. The motion passed 3 – 0 – 1. David Chauvette did not vote as he was absent from the last meeting.**

## **12. PENDING DECISIONS**

## **13. WEEK'S ACTION LIST**

Laura to get Alves Contract Zone Agreement Document from Code that was used in their Public Hearing and update taking out Railroad bed item 1d and sending to the Town Attorney for review.

Laura to set up Public Hearing for the 19<sup>th</sup>

Matt to contact Spencer Egan from Encore with Boards decision

## **14. DISCUSSION OF AGENDA ITEMS**

Bring back Alves Contract Zone Request to the next meeting

## **15. ITEMS NEEDING SIGNATURE**

- a. Quitclaim Deed Map 007 Lot 038
- b. Solar Collaboration

## **16. ADJOURN**

**Dana Brown made a motion to adjourn the meeting at 7:23 p.m. Dave Chauvette seconded the motion. The motion passed 4 – 0.**

October 6, 2021

Waterboro is my home and has been for over 30 years. There is nature and wildlife all around us here making it easy to be mindful of what really matters. The rural nature of this town makes it ideal for raising a family. This is what I love about Waterboro and why I believe people looking to relocate here find it desirable.

I would like to apologize that I was not clearer at the Planning Board Hearing in September on this matter, I am against the re-zoning of this small agricultural section of East Waterboro as well as any re-zoning of agricultural areas on the Hollis and Lyman side heading into and out of East Waterboro.

The draw to Waterboro is its rural characteristics. The Town recognizes this in its Future Land Use plan. In that plan, it states that there are multiple sites that already exist and are ready for development. The locations, as outlined in the plan, are meant to keep the integrity of our rural town by **strategically placing development areas to keep the balance between economic vitality while sustaining the beauty of our rural town.** The existing plan encourages growth in town while protecting our rural landscape as well as respecting private landowners.

The agricultural zone currently in question, if changed would contradict the Future Land Use Plan and would place two large development projects next to each other and therefore alter the rural landscape. The idea of developing further this small section of town does not support and respect:

- the current residents and private landowners in this part of town; nor
- the Town's own strategic planning for the town to balance its rural landscape.

This stretch of road is already seen as the gateway road into Waterboro, therefore adding more congestion into such a short stretch of road would negatively impact and deter travel through this section of town for both visitors as well as Waterboro's current residents. Particularly those residents located in and around this small stretch of road that are already adversely impacted by the increase in traffic do to the multi business that have been added.

The Town has already started executing the plan in transect 6 with the S.M.H.C Building. The future plan is to add more medical buildings to this complex with the foresight that if our villages expand and grow the Town will need a central medical facility to support that growth. The Town should not allow a second unplanned development next to an already existing developing complex. We do not want to over develop. We want a strategic plan to balance and maintain our rural landscape.

It was very clear during the Planning Board meeting I attended that the re-zoning proposal for this section of Waterboro was more of an afterthought and not strategically thought out. Implications of re-zoning in the area around the S.M.H.C building did not take into consideration the safety measures that must be added to support the density it would be adding. Both the developers and Waterboro Board members articulated that planning safety measures such as sidewalks were not planned for and would be too costly. Not to mention the compliance of planning with the State and MDOT. Planning is key when looking towards our future. It seems this re-zoning ask for a new development is not well planned out.

The Future Land Use plan strategically lays out where placement of development should be so that it does not adversely impact any one area of Waterboro. The Future Use Plan diverts development from this already busy stretch of road by strategically placing development in the areas of Bennett Hill, behind J.D's and further up on route 202 towards South Waterboro. This is primarily meant to spread out development and not over burden any one section of Waterboro and to maintain space for the area's rural landscape. The areas already designated in the Town's plan have already been assessed and can accommodate further development without putting adverse strain on this already strained small section of town.

The Future Land Use plan outlines the studies needed prior to development. I could not locate any of these studies on the local town websites. If these exist, please direct me to their location so that I may study them. If these do not exist how can we even begin expanding and re-zoning.

- Tier-target hospitality study.
- Feasibility studies.
- Current market study.
- Various needs assessment studies.

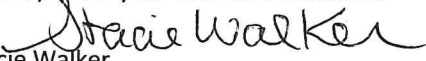
These studies should not be older than 3 years.

The plan is to develop wisely and strategically place new development sites in our villages. Not pile them on top of each other in an unplanned manner while diminishing our rural setting. This stretch of 202 and 5 in East Waterboro already has a good balance between companies and residential housing, do not add to and over burden this small stretch of road between Waterboro Café and Hannaford.

Stick to your Future Plan so that our areas of development are spaced accordingly to maintain our balance between growth, protecting our rural landscape and respecting private landowners.

I strongly oppose the Contract Zone Request of David Alves.

Thank you for your time and attention.

  
Stacie Walker  
207.939.9463